

which Cuba does not pay appropriate transportation, insurance, or finance costs; and

(D) the exchange, reduction, or forgiveness of debt of the Cuban Government in return for a grant by the Cuban Government of an equity interest in a property, investment, or operation of the Cuban Government or of a Cuban national.

(4) Cuban Government

(A) The term “Cuban Government” includes the government of any political subdivision of Cuba, and any agency or instrumentality of the Government of Cuba.

(B) For purposes of subparagraph (A), the term “agency or instrumentality of the Government of Cuba” means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 28, with each reference in such section to “a foreign state” deemed to be a reference to “Cuba”.

(Pub. L. 87–195, pt. I, §498B, as added Pub. L. 102–511, title II, §201, Oct. 24, 1992, 106 Stat. 3328; amended Pub. L. 103–236, title VIII, §826(c), Apr. 30, 1994, 108 Stat. 519; Pub. L. 104–114, title I, §106(c)(2), Mar. 12, 1996, 110 Stat. 796; Pub. L. 107–246, §4(b), Oct. 23, 2002, 116 Stat. 1515.)

REFERENCES IN TEXT

The Support for East European Democracy (SEED) Act of 1989, referred to in subsec. (g), is Pub. L. 101–179, Nov. 28, 1989, 103 Stat. 1298, as amended, which is classified principally to chapter 63 (§5401 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5401 of this title and Tables.

The Congressional Budget and Impoundment Control Act of 1974, referred to in subsec. (j)(1)(D), is Pub. L. 93–344, July 12, 1974, 88 Stat. 297, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 621 of Title 2, The Congress, and Tables.

The Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsec. (j)(1)(D), is title II of Pub. L. 99–177, Dec. 12, 1985, 99 Stat. 1038, as amended, which enacted chapter 20 (§900 et seq.) and sections 654 to 656 of Title 2, amended sections 602, 622, 631 to 642, and 651 to 653 of Title 2, sections 1104 to 1106 and 1109 of Title 31, Money and Finance, and section 911 of Title 42, The Public Health and Welfare, repealed section 661 of Title 2, enacted provisions set out as notes under section 900 of Title 2 and section 911 of Title 42, and amended provisions set out as a note under section 621 of Title 2. For complete classification of this Act to the Code, see Short Title note set out under section 900 of Title 2 and Tables.

The Budget Enforcement Act of 1990, referred to in subsec. (j)(1)(D), is title XIII of Pub. L. 101–508, Nov. 5, 1990, 104 Stat. 1388–573. For complete classification of this Act to the Code, see Short Title of 1990 Amendment note set out under section 900 of Title 2 and Tables.

Section 510 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991, referred to in subsec. (j)(2), is section 510 of Pub. L. 101–513, title V, Nov. 5, 1990, 104 Stat. 2003, which is not classified to the Code.

AMENDMENTS

2002—Subsec. (e). Pub. L. 107–246 substituted “paragraph (2)(J)” for “paragraph (2)(G)”.

1996—Subsec. (k)(3), (4). Pub. L. 104–114 added pars. (3) and (4).

1994—Subsec. (j)(1)(C). Pub. L. 103–236 substituted “sections 2799aa and 2799aa–1” for “sections 2429 and 2429a”.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103–236 effective 60 days after Apr. 30, 1994, see section 831 of Pub. L. 103–236, set out as an Effective Date note under section 6301 of this title.

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

Functions of President under subsecs. (c) and (g) of this section delegated to Coordinator by section 2(c) of Ex. Ord. No. 12884, Dec. 1, 1993, 58 F.R. 64099, set out as a note under section 5812 of this title.

Functions of President under subsecs. (h) and (i) of this section delegated by section 5(a) of Ex. Ord. No. 12884 to head of agency responsible for administering the particular program or activity with respect to which the authority is to be exercised.

TRANS-CAUCASUS ENTERPRISE FUND

Pub. L. 104–107, title II, [(t)], Feb. 12, 1996, 110 Stat. 714, provided that: “The President shall establish a Trans-Caucasus Enterprise Fund to encourage regional peace through economic cooperation: *Provided*, That the President shall seek other bilateral and multilateral investors in the Fund: *Provided further*, That of the funds made available under this heading [OTHER BILATERAL ECONOMIC ASSISTANCE, ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION, see 110 Stat. 712], not less than \$15,000,000 shall be made available for a United States investment in the Trans-Caucasus Enterprise Fund.”

§ 2295c. Authorization of appropriations

(a) In general

To carry out this part, there are authorized to be appropriated to the President for fiscal year 1993 \$410,000,000, in addition to amounts otherwise available for assistance for the independent states of the former Soviet Union. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

(b) Operating expenses

(1) Authority to transfer program funds

Subject to paragraph (2), funds made available under subsection (a) of this section may be transferred to, and merged with, funds appropriated for “Operating Expenses of the Agency for International Development”. Funds so transferred may be expended for administrative costs in carrying out this part, including reimbursement of the Department of State for its incremental costs associated with assistance provided under this part.

(2) Limitation on amount transferred

Not more than 2 percent of the funds made available for a fiscal year under subsection (a) of this section may be transferred pursuant to paragraph (1) unless, at least 15 days before transferring any additional amount, the President notifies the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 2394–1 of this title.

(Pub. L. 87–195, pt. I, §498C, as added Pub. L. 102–511, title II, §201, Oct. 24, 1992, 106 Stat. 3330.)

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R.

56673, as amended, set out as a note under section 2381 of this title.

For delegation of certain functions of President under subsec. (b)(2), see section 3(b) of Ex. Ord. No. 12884, Dec. 1, 1993, 58 F.R. 64099, as amended, set out as a note under section 5812 of this title.

PART XII—SUPPORT FOR THE ECONOMIC AND POLITICAL INDEPENDENCE OF THE COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA

PRIOR PROVISIONS

A prior part XII, consisting of section 2296, related to the Enterprise for the Americas Initiative, prior to repeal by Pub. L. 102-549, title VI, §602(b), Oct. 28, 1992, 106 Stat. 3669.

§ 2296. United States assistance to promote reconciliation and recovery from regional conflicts

(a) Purpose of assistance

The purposes of assistance under this section include—

- (1) the creation of the basis for reconciliation between belligerents;
- (2) the promotion of economic development in areas of the countries of the South Caucasus and Central Asia impacted by civil conflict and war; and
- (3) the encouragement of broad regional cooperation among countries of the South Caucasus and Central Asia that have been destabilized by internal conflicts.

(b) Authorization for assistance

(1) In general

To carry out the purposes of subsection (a) of this section, the President is authorized to provide humanitarian assistance and economic reconstruction assistance for the countries of the South Caucasus and Central Asia to support the activities described in subsection (c) of this section.

(2) Definition of humanitarian assistance

In this subsection, the term “humanitarian assistance” means assistance to meet humanitarian needs, including needs for food, medicine, medical supplies and equipment, education, and clothing.

(c) Activities supported

Activities that may be supported by assistance under subsection (b) of this section include—

- (1) providing for the humanitarian needs of victims of the conflicts;
- (2) facilitating the return of refugees and internally displaced persons to their homes; and
- (3) assisting in the reconstruction of residential and economic infrastructure destroyed by war.

(Pub. L. 87-195, pt. I, §499, as added Pub. L. 106-113, div. B, §1000(a)(2) [title V, §596(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-123.)

PRIOR PROVISIONS

A prior section 2296, Pub. L. 87-195, pt. I, §499, as added Pub. L. 102-391, title V, §594(a), Oct. 6, 1992, 106 Stat. 1692, authorized reduction of certain debts owed to the United States, prior to repeal by Pub. L. 102-549, title VI, §602(b), Oct. 28, 1992, 106 Stat. 3669.

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R.

56673, as amended, set out as a note under section 2381 of this title.

§ 2296a. Economic assistance

(a) Purpose of assistance

The purpose of assistance under this section is to foster economic growth and development, including the conditions necessary for regional economic cooperation, in the South Caucasus and Central Asia.

(b) Authorization for assistance

To carry out the purpose of subsection (a) of this section, the President is authorized to provide assistance for the countries of the South Caucasus and Central Asia to support the activities described in subsection (c) of this section.

(c) Activities supported

In addition to the activities described in section 2295 of this title, activities supported by assistance under subsection (b) of this section should support the development of the structures and means necessary for the growth of private sector economies based upon market principles.

(Pub. L. 87-195, pt. I, §499A, as added Pub. L. 106-113, div. B, §1000(a)(2) [title V, §596(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-124.)

DELEGATION OF FUNCTIONS

For delegation of functions of President under this section, see Ex. Ord. No. 12163, Sept. 29, 1979, 44 F.R. 56673, as amended, set out as a note under section 2381 of this title.

§ 2296b. Development of infrastructure

(a) Purpose of programs

The purposes of programs under this section include—

- (1) to develop the physical infrastructure necessary for regional cooperation among the countries of the South Caucasus and Central Asia; and
- (2) to encourage closer economic relations and to facilitate the removal of impediments to cross-border commerce among those countries and the United States and other developed nations.

(b) Authorization for programs

To carry out the purposes of subsection (a) of this section, the following types of programs for the countries of the South Caucasus and Central Asia may be used to support the activities described in subsection (c) of this section:

- (1) Activities by the Export-Import Bank to complete the review process for eligibility for financing under the Export-Import Bank Act of 1945 [12 U.S.C. 635 et seq.].
- (2) The provision of insurance, reinsurance, financing, or other assistance by the Overseas Private Investment Corporation.
- (3) Assistance under section 2421 of this title (relating to the Trade and Development Agency).

(c) Activities supported

Activities that may be supported by programs under subsection (b) of this section include promoting actively the participation of United